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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA **FILED**
HARRISBURG, PA

STANLEY F. FROMPOVICZ, JR., :
CAROL FRAMPOVICZ, t/a :
FAR AWAY SPRINGS, :

Plaintiffs :

v. :

UNION TOWNSHIP :
UNION TOWNSHIP BOARD OF :
SUPERVISORS et. al. :

Defendants :

NO. 1: CV-00-1750

(HON. JUDGE CALDWELL)

JURY TRIAL DEMANDED

APR 26 2002
MARY E. D'ANDREA, CLERK
Per RB Deputy Clerk

STATUS REPORT

AND NOW, this 26th day of April, 2002, the undersigned, Thomas W. Scott, Esquire, Killian & Gephart, LLP, counsel for Plaintiffs Stanley F. Frompovicz, Jr. and Carol Frompovicz, t/a Far Away Springs, submits the following Status Report to the Court pursuant to this Court's Order of December 27, 2001 and respectively sets forth the following:

1. When the Court Order of December 27, 2001 was entered, Plaintiffs had submitted a completed Nutrient Management Plan to the Lebanon County Conservation District.

2. On February 7, 2002, the Lebanon County Conservation District formally approved the Nutrient Management Plan submitted by Plaintiffs, clearing the way for Plaintiffs to seek a special exception from the Union Township Zoning Hearing Board to permit Plaintiffs to utilize their property in Union Township for intensive animal husbandry, to wit: a swine feeding and finishing operation.

3. On February 27, 2002, Plaintiffs submitted a request for a special exception to the Union Township Zoning Hearing Board, seeking approval of a special exception to utilize their farm for intensive animal husbandry.

4. On Monday, April 22, 2002, the Union Township Zoning Hearing Board met in public session, following statutory notice, to receive testimony concerning Plaintiffs' Application for a Special Exception.

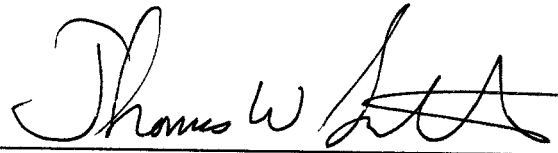
5. At the conclusion of the Monday, April 22, 2002, Union Township Zoning Hearing Board meeting, the Zoning Hearing Board voted to grant the special exception requested by Plaintiffs, subject to the condition that Plaintiffs secure all necessary state permits prior to applying for a building permit.

6. Under the Municipalities Planning Code the Union Township Zoning Hearing Board has 45 days in which to render a written decision setting forth its decision in the special exception matter.

7. As of this time, no written decision has been received from the Union Township Zoning Hearing Board.

8. As of this time, the appeal period during which any interested party could appeal the special exception granted by the Union Township Zoning Hearing Board to the Lebanon County Court of Common Pleas has not yet expired.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas W. Scott", is written over a horizontal line.

Thomas W. Scott, Esquire

Killian & Gephart

218 Pine Street

P. O. Box 886

Harrisburg, PA 17108

(717) 232-1851

Attorney I. D. #15681

Dated: April 26, 2002

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

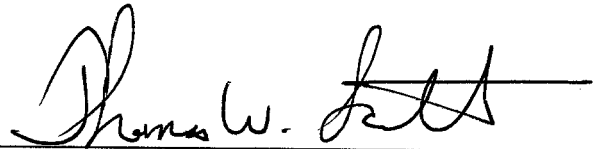
On this 26 day of April 2002, I hereby certify that I served the foregoing document on the following by fax and overnight mail as follows:

Frank J. Lavery, Jr., Esquire
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KILLIAN & GEPHART

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Thomas W. Scott, Esquire

Killian & Gephart

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